

REMARKS

Applicant appreciates the thorough examination of the present application that is reflected in the Office Action of April 6, 2007. In order to overcome the objections and Claim rejections of the Office Action, Applicant has cancelled many Claims and has extensively amended all remaining independent Claims to include recitations that are not described or suggested by the prior art cited by the Examiner. Applicant has also amended many of the dependent Claims to also include recitations that are not described or suggested by the prior art cited by the Examiner. Accordingly, Applicant respectfully requests reconsideration of the Examiner's objections and Claim rejections for the reasons that now will be described below.

Objections

The Examiner has objected to the specification as failing to provide proper antecedent basis for the claimed subject matter of Claim 157. The Examiner has also objected to the drawings for not specifying every feature of Claim 157. Claim 157 has now been cancelled.

Claim Rejections

Claims 32-49, 83, 90-103, 115-119 and 121-181 are now cancelled. All remaining Claims (1-31, 50-82, 84-89, 104-114 and 120) are amended to overcome rejections under 35 U.S.C. 112, second paragraph, as being indefinite. All remaining independent Claims, Claims 1, 2, 50, 79, 104, 110, 114 and 120, are amended to include recitations not disclosed or suggested by the prior art (US Patent 4,591,823 to Horvat) that the Examiner used as grounds for rejecting these Claims.

In particular, amended independent Claim 1 now recites:

A method of monitoring a vehicular state, the method comprising:
receiving a first signal at a vehicle; the first signal being received at the vehicle at a first frequency from a first device external to the vehicle prior to the vehicle having reached a predetermined location; the first signal including an identity associated with the first device;
receiving a second signal at the vehicle; the second signal being received at the vehicle at a second frequency from a second device external to the vehicle after the vehicle has traveled beyond the predetermined location; the second signal including an identity associated with the second device; wherein the second device is functionally different from the first device;

transmitting data from the vehicle at the second frequency responsive to the vehicle having received the first and second signals and having violated at least one aspect of law;

storing the data at the vehicle responsive to receiving at the vehicle a confirmation signal from the second device indicating that the data transmitted by the vehicle has been received by the second device; and

refraining from responding to at least one other signal that is received at the vehicle from the second device after receiving the confirmation signal; wherein refraining is responsive to receiving the confirmation signal and to the at least one other signal including the identity associated with the second device;

wherein transmitting data from the vehicle is performed a plurality of times responsive to a respective plurality of signals received at the vehicle from the second device prior to receiving the confirmation signal at the vehicle and wherein transmitting data from the vehicle is suppressed following receiving the confirmation signal at the vehicle even though one or more signals including the identity associated with the second device are received at the vehicle from the second device after receiving the confirmation signal at the vehicle. (Emphasis added.)

Accordingly, there are two functionally different devices external to the vehicle (i.e., a Notificator and an Interrogator; see specification section 3.2 and Figure 8; the Notificator does not receive information from vehicles, only transmits to them) that provide first and second signals, respectively, and transmitting data from the vehicle is responsive to the first and second signals. Furthermore, storing the data at the vehicle is responsive to a confirmation signal received at the vehicle from the second device (i.e., from the Interrogator) indicating that the data transmitted by the vehicle has been received by the second device. In addition to the above, refraining from responding to at least one other signal received at the vehicle from the second device is responsive to having received the confirmation signal at the vehicle from the second device.

Horvat does not describe or suggest any of the above recitations. In sharp contrast, Horvat describes a system wherein transmitting data from the vehicle is responsive only to a first signal being received at the vehicle. Furthermore, according to Horvat, there is no confirmation that is sent from the device external to the vehicle indicating that the data sent by the vehicle has been received. In addition, Horvat does not describe or suggest refraining from responding responsive to having received at the vehicle the confirmation signal. For at least these reasons, Claim 1 is patentable over Horvat.

Amended independent Claim 2 now recites:

A vehicular monitoring method comprising:
receiving an interrogation signal at a vehicle from an interrogation device external to the vehicle; the interrogation signal including an identity associated with the interrogation device and being received at the vehicle at a frequency transmitted by the interrogation device;
transmitting from the vehicle, a data packet including information relating to a law, safety, traffic management and/or traffic control process, in response to receiving the interrogation signal at the vehicle;
storing the data packet at the vehicle if the vehicle and/or a content thereof is/are in violation of at least one aspect of law responsive to receiving a confirmation signal at the vehicle from the interrogation device indicating that the data packet has been received by the interrogation device; and
refraining from responding to at least one other signal that is received at the vehicle from the interrogation device responsive to receiving the confirmation signal and the at least one other signal; the at least one other signal including the identity associated with the interrogation device;
wherein transmitting from the vehicle is performed at the frequency transmitted by the interrogation device, transmitting from the vehicle is performed a plurality of times responsive to a respective plurality of signals received at the vehicle from the interrogation device before receiving the confirmation signal at the vehicle and wherein transmitting from the vehicle is suppressed following receiving the confirmation signal at the vehicle even though one or more signals, each including the identity associated with the interrogation device, are received at the vehicle from the interrogation device after receiving the confirmation signal at the vehicle. (Emphasis added.)

Horvat, does not describe or suggest storing the data packet at the vehicle if the vehicle and/or a content thereof is/are in violation of at least one aspect of law responsive to receiving a confirmation signal at the vehicle from the interrogation device indicating that the data packet has been received by the interrogation device. Furthermore, Horvat does not describe or suggest refraining from responding to at least one other signal that is received at the vehicle from the interrogation device responsive to receiving the confirmation signal and the at least one other signal. For at least these reasons, Claim 2 is patentable over Horvat.

Independent Claims 50, 79, 104, 110, 114 and 120 are also patentable over Horvat for at least reasons similar to those stated above.

The dependent Claims are patentable per the patentability of the independent Claims from which they depend. However, several independent Claims are also independently

patentable. For example, dependent Claim 4 (which depends from independent Claim 2) recites:

... wherein transmitting is preceded by receiving a notification signal at the vehicle from a notification device external to the vehicle; the notification device being functionally different from the interrogation device...; and wherein transmitting comprises transmitting from the vehicle ... in response to receiving the notification signal and the interrogation signal at the vehicle. (Emphasis added.)

Horvat does not describe or suggest that transmitting is preceded by receiving a notification signal at the vehicle from a notification device external to the vehicle; the notification device being functionally different from the interrogation device; and that transmitting comprises transmitting from the vehicle in response to receiving the notification signal and the interrogation signal at the vehicle. In accordance with Horvat's teachings, transmitting is preceded by receiving a single signal from a single device.

As a further example of a dependent Claim that is independently patentable, dependent Claim 5 (which depends from dependent Claim 4 which depends from independent Claim 2) recites:

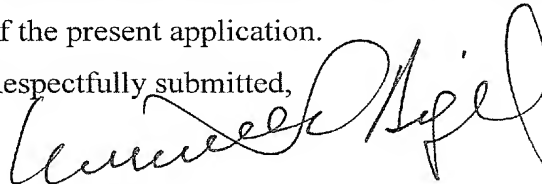
A method according to Claim 4 wherein transmitting and receiving comprises a Time Division Duplex (TDD) protocol, the interrogator device is configured to transmit to the vehicle and receive from the vehicle, the notification device is configured to transmit to the vehicle and not receive from the vehicle and the interrogator device and notification device are distinct and spaced apart therebetween. (Emphasis added.)

Again, in accordance with Horvat's teachings, there is only a single type of device external to the vehicle that transmits to the vehicle and receives from the vehicle. In contrast, Claim 5 recites two different types of devices; an Interrogator device that transmits and receives from the vehicle and a Notificator device that transmits to the vehicle but is not configured to receive from the vehicle. There are also many other dependent Claims that are independently patentable; these are not discussed separately for the sake of brevity.

Conclusion

Applicant again thanks the Examiner for the thorough examination of the present application. Applicant has now shown that the claims as amended herein are not described or suggested by the prior art cited by the Examiner and respectfully requests withdrawal of the outstanding rejections and allowance of the present application.

Respectfully submitted,



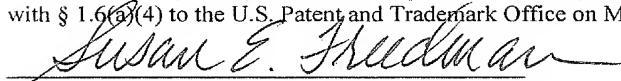
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Susan E. Freedman
Date of Signature: May 10, 2007